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Philosophy and Theology: Reflections on Speciesism

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PHILOSOPHY AND THEOLOGY

In his lecture delivered at the 2015 Society for Applied Philosophy Annual Conference, Shelly Kagan takes aim at Peter Singer's proposition that "speciesism ... is a prejudice or attitude of bias in favor of the interests of members of one's own species and against those of members of other species."¹ Racism is a prejudice or attitude of bias in favor of the interests of members of one's own race and against those of members of other races. Sexism is a prejudice or attitude of bias in favor of the interests of members of one's own sex and against those of members of the opposite sex. So too, according to Singer, speciesism is a moral mistake.

Initially ascribing to these views in the mid-1970s, Kagan has now become skeptical of the wrongfulness of speciesism. He thinks that our treatment of animals is generally unjustifiable and wrong, but also holds that speciesism is not a mere prejudice because the interests of human beings count more than the interests of nonrational animals. (In this essay, "animals" always refers to nonrational, nonhuman animals.) Why? Kagan holds that all human beings are at least modal persons, individuals who could have been persons in the Lockean sense of "person." This modal property gives individual human beings a higher moral status, other things being equal, than animals.

Kagan notes that virtually no one holds that *only* the interests of human beings count or that the interests of animals are irrelevant. No one thinks that setting fire to a cat without any reason whatsoever is permissible. Nor does anyone think that any trivial human interest outweighs every animal interest. The human desire to find out what a burning cat sounds like wouldn't justify dousing Mittens with gasoline and lighting a match. A more plausible view is that human interests count, in some

1. Singer's words as cited by Shelly Kagan, "What's Wrong with Speciesism?" (Society of Applied Philosophy Annual Lecture 2015), *Journal of Applied Philosophy* 33.1 (February 2016): 1, doi: 10.1111/japp.12164.

yet unspecified way, as more important than animal interests. Implicit in the entire analysis is the assumption of consequentialism, shared by Kagan and Singer, which maintains that ethics is about maximizing interests, welfare, etc.

“What exactly is supposed to be *wrong* with speciesism?”² asks Kagan. The answer, according to Singer, is that it violates the principle of equal consideration of interests. To give greater weight to those of one’s own race, or to those of one’s own sex, or to those of one’s own species, is to act arbitrarily and unfairly. If we wouldn’t allow a human infant or mentally handicapped adult to be subject to medical experimentation for the sake of others, we should not subject animals, of equal or greater cognitive capacity, to the same sort of experiments. Pain is pain, whether suffered by an animal or by a human being.³

Is speciesism a prejudice? Well, it could be if it were based on false empirical beliefs, such as that animals feel no pain. But Kagan says an ethical prioritizing of human beings over animals could also be based on something else: “If one’s speciesism is based instead on a direct appeal to moral intuition—and that is how I envision the speciesist—and if one is then prepared to give presumptive weight to moral intuitions in other matters as well, then that, it seems to me, is not prejudice. The view in question may or may not be correct; but it is not a mere prejudice and nothing more. So Singer’s argument against speciesism fails.”⁴

In 1776, the American Founders asserted that it was a self-evident truth that all human beings are created equal and endowed with inalienable rights. This proposition is a postulate of the Declaration of Independence that is not justified by still prior premises. Every argument must ultimately depend on some first principles which are not demonstrated on the basis of some prior suppositions. Singer, too, must rely on the intuition of first principles at various points in his argument.

Kagan goes on to point out that very few people are absolute speciesists at all. He writes, “Superman isn’t human. He isn’t a member of our biological species. But is there anyone (other than Lex Luthor!) who thinks this makes a difference? Is there anyone who thinks: Superman isn’t human, so his interests should count less than they would if he were? I doubt it.”⁵ Indeed, people of faith explicitly reject the idea that human beings and human beings *alone* have moral status as persons. For example, Christians believe in Divine Persons, namely, the Father, Son, and Holy Spirit, choirs of angelic persons such as Gabriel and Raphael, and legions of demonic persons such as Lucifer and Beelzebub. It is not being *human* that is necessary for

2. Ibid., 3.

3. This claim might be challenged in various ways. Death is death, whether suffered by a human being or by an animal. But Singer himself views the ethics of killing competent adult humans differently than killing nonhuman animals. By parity of reasoning, there may also be important ways that the pain of animals differs from the pain of human beings such that it is a mistake to assume that all that matters in the assessment of pain is its intensity and its duration.

4. Ibid., 8.

5. Ibid., 9.

being a person, but being an individual substance of rational nature. So, following Kagan, Christians might say they are not speciesists but personists. What is necessary is not that the being shares our *species* but that the being is a *person*.

Kagan writes that “it is conceivable that being a person is not an all or nothing affair—but rather something that comes in degrees. Perhaps then a personist should be prepared to allow that the special consideration that comes with being a person can itself come in degrees as well.”⁶ Kagan does not address this issue at length, but we can explore it further. One way to approach the issue is to consider the question, how are persons to be treated? Thomas Aquinas held that we should imitate God and that God relates to persons (beings with rational nature) “as objects of care for their own sakes; while other creatures are subordinated, as it were, to the rational creatures.”⁷ A Kantian might say persons are beings who deserve to be treated as ends in themselves rather than used simply as means.⁸ A contemporary philosopher might add that the good of persons gives us ultimate reasons for action rather than merely instrumental ones.⁹

These views about the treatment due to persons suggest that “person” is a binary concept rather than a scalar one. To be a person is to merit treatment for one’s own sake as an end, to be worthy of respect not mere use, and to be an ultimate reason for action. Instrumental reasons can come in degrees because the usefulness of things comes in degrees. *Something* may be a more or less effective means to some end. By contrast, *someone*, a person, is in a radically different category. She is an end-in-herself, a being to be loved, an ultimate reason for action.

Let’s call ethical humanism the view that human beings should be accorded a greater moral status than animals. Are there any nontheological grounds for this view? Saint Thomas Aquinas claims that we should love the greater good more than the lesser good. Thus, we should love a virtuous person more than a vicious person. In terms of goodness, all human beings share a nature that is greater in goodness than the nature of animals like dogs. Both human beings and animals alike have sentient natures; they exist, live, and sense. Human beings alone, as far as we know, also have a rational nature. Thus, human nature is greater in goodness than animal nature, having everything contained in animal nature and more. Because of the greater goodness of their nature, human beings should be loved more than animals.

Ethical humanism therefore differs radically from both sexism and racism. Human nature, as rational, contains greater goodness than mere sentient nature or vegetative nature, so individuals with a human nature should be loved more than beings with only a sentient or vegetative nature. Similarly, Aquinas holds that individual persons with divine nature—Father, Son, and Holy Spirit—should be loved

6. Ibid., 10.

7. Thomas Aquinas, *Summa contra gentiles* 3.112.1. See, too, his *Commentary on the Sentences of Peter Lombard* 44.1.3 ad 1.

8. Immanuel Kant, *Groundwork of the Metaphysics of Morals*, sec. 2, para. 429.

9. Sherif Girgis, “Equality and Moral Worth in Natural Law Ethics and Beyond,” *American Journal of Jurisprudence* 59.2 (2014): 143-162.

more than individuals with human nature by virtue of the greater goodness of divine nature in comparison to human nature. Since male and female human beings share equally in human nature, they are equally to be loved in that respect. In a similar way, the various races of human beings all share in the same human nature, so they too are to be equally loved. So there is no inconsistency in defending ethical humanism but condemning sexism or racism. Equality in nature provides grounds both for supporting ethical humanism and for condemning prejudice.

Does holding that all human beings have basic rights imply a bias in favor of one's own species? Not at all. I believe that I am a human being, but let's say I am wrong. Suppose I merely look like I am human, but it turns out that I am actually of the same species as Superman, who looks, sounds, and usually acts like a human being but is really a Kryptonian. Let's say that today I discover my superpowers and realize that I, too, am a Kryptonian. If I realized I was not human, I would still hold that human beings have a higher moral status than all animals lacking rational nature. I would also realize that there are other beings that have a rational nature, namely, Kryptonians. The question of whether or not human beings belong to *my own* species is therefore irrelevant when defending the view that all human beings have intrinsic dignity and basic rights.

In his *Groundwork for the Metaphysics of Morals*, Immanuel Kant articulated this fundamental principle of ethics: "Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means."¹⁰ Note that Kant does not say that *only* humanity, whether ourselves or others, is to be treated as ends and never used as means. Kant's principle is open to the possibility that other species should also be treated as ends in themselves and never used simply as means. Maybe there are other species such as Kryptonians, angels, or dolphins who merit this respect, or maybe humanity is the only such species. Kant leaves these as open questions. Also left open is the possibility that some other characteristic, such as sentience, is sufficient for moral status. Kant's principle, as stated, is strictly neutral with respect to this possibility. It claims only that humanity deserves respect, not that other species do not deserve respect. If someone says that all women deserve respect, that person is not even implicitly denying that men and children also deserve respect.

In his article "Modal Personhood and Moral Status," David DeGrazia assumes with Kagan that human beings who are not and never will function rationally are not persons. "If a human being is not a person but would have been if not for some improbable accident that occurred when he was an infant, we may rationally regret his lack of personhood. But it is much less clear that the fact that he could have been a person constitutes a reason to regard him as having higher moral status than he enjoys just on the basis of his categorical (as opposed to modal) properties."¹¹

10. Kant, *Groundwork of the Metaphysics of Morals* 2.429.

11. David Degrazia, "Modal Personhood and Moral Status: A Reply to Kagan's Proposal," *Journal of Applied Philosophy* 33.1 (February 2016): 22–25, esp. 24, doi: 10.1111/japp.12166.

Degrazia recognizes a key element in Kagan's view. There is something lamentable, a rational regret, in a human being who is not able to exercise rational nature, but there is nothing regrettable in a dog not being able to exercise rational nature. Suppose that we discover a medical intervention that enables both a dog and a brain-damaged human being to function rationally. Would our decision to give the treatment either to the dog or to the human being really be a matter of moral indifference? A dog can live a full and flourishing canine life without ever functioning rationally. Indeed, a functionally rational dog might well be miserable because it would be cut off from the canine community and also socially isolated from humans. By contrast, a human being does not have a canine life to fall back on if she cannot function rationally.

The enhanced-dog example is sometimes used to argue against the view of personhood as endowment. If we could enhance the intelligence of Fido just a little bit each day, say by an injection that permanently boosts intelligence two IQ points, eventually the dog would be as intelligent as you or me. Enhanced-Fido would be as much a person as Benjamin Franklin. The enhanced-dog example shows, according to some philosophers, that endowment, nature, and species are irrelevant to moral status, since Fido remains numerically the same canine in these respects before, during, and after the injections.¹²

One way to approach the enhanced-dog example is to say that small accidental changes sometimes lead to a substantial change. If my blood pressure gradually drops, at some point just a small drop further will cause it to crash and my life to end. A tiny subtraction would lead to the substantial change from life to death. The enhanced-dog example could be understood as a gradual enhancement that causes a substantial change, which transforms a nonrational animal into a rational animal. Another possibility is that the enhanced-dog example teaches us to understand something about dogs that we never understood before. We always assumed, based on empirical observation, that the only animals who could function rationally were human beings, so human beings were the only animals with a rational nature. But if it turned out that other animals could, through training or medical enhancement, also function rationally, then they too would be rational animals. Our assumptions about the kinds of activities individuals or things do to reveal what sort of natures they have are always open to correction. But I seriously doubt such corrections will actually happen, so ethically speaking we have no need to revise our working assumption that only human beings are rational animals.

The view I have been defending presupposes that we are rational animals, or human organisms. "But," writes Jeff McMahan, "the view that we are human organisms is, I believe, refuted by counterexamples," such as cerebrum transplants. "If, therefore, I were irreversibly to lose the capacity for consciousness, a living human organism might remain, but there would be nothing left that could plausibly be regarded as *me*."¹³ According to McMahan's view, each one of us is identifiable as an embodied mind, a cerebrum, not a human organism.

12. Ibid., 24–25.

13. Jeff McMahan, "On 'Modal Personism,'" *Journal of Applied Philosophy* 33.1 (February 2016): 28, doi: 10.1111/japp.12167.

But the imaginary case of cerebrum transplants also undermines McMahan's view that we are minds embodied in our cerebrums. Imagine two human beings, Frank and Jane, who have had their cerebrums removed. Now imagine that we transplant one half of my cerebrum into Frank's body and the other half into Jane's body. Since I am, in McMahan's view, an embodied mind, I would be both in Frank's body and in Jane's body. Consequently, I could die if Frank's body is burned alive and not die if Jane's body is relaxing on the beach. Imaginary cases of brain transplants undermine the claim that we are embodied minds as much as the claim that we are human organisms.

Is McMahan inconsistent in his rejection of speciesism? For no other species of which we are aware, other than the human species, does the numerical identity of the individual member depend on when an embodied mind comes into existence. We identify an individual member of every other species as a distinct, whole biological organism with no reference to when or if consciousness arises. So if we are to be treated as if our species is ethically irrelevant, then we should be identified as individuals according to the same standard used for other species, namely, as biological organisms. It is not consistent to condemn speciesism in ethical analysis but then use a standard of identity that applies differently to different species.

In "Why Speciesism Is Wrong: A Response to Kagan," Singer says the capacity to suffer is both the sufficient and necessary condition for an individual to have moral status:

If a being suffers there can be no moral justification for refusing to take that suffering into consideration. No matter what the nature of the being, the principle of equality requires that its suffering be counted equally with the like suffering—insofar as rough comparisons can be made—of any other being. If a being is not capable of suffering, there is nothing to be taken into account. So the limit of sentience (using the term as a convenient if not strictly accurate shorthand for the capacity to suffer and/or experience enjoyment) is the only defensible boundary of concern for the interests of others.¹⁴

Why should suffering *alone* count in our moral calculus of what is right and what is wrong? Let us say that students blacken your reputation by claiming that you are an unfair teacher who harasses them, but you never learn of their calumny. Indeed, no one believes their charges, so your reputation with your colleagues does not change at all. So no suffering whatsoever occurs. Did the students do something wrong in lying about you and trying to ruin your reputation? If so, then more than suffering is at stake in coming to our moral judgment. Let's say that at your funeral, colleagues spread lies about you to damage your reputation: have they not done something wrong? Presumably, you won't suffer on account of their lies. Unless we are utilitarians supposing that only suffering and enjoyment ultimately matter, why should we think that moral status necessarily depends on the capacity for suffering and enjoyment? Singer continues, "I don't think plants have interests, in the morally relevant sense, any more than, say, a car guided through traffic by a computer would

14. Peter Singer, "Why Speciesism is Wrong: A Response to Kagan," *Journal of Applied Philosophy* 33.1 (February 2016): 32, doi: 10.1111/japp.12165.

have an interest in reaching its destination. Neither plants nor the car are conscious. To imagine what it is like to be a pig in a factory farm is an idea that makes sense, even if it is difficult to get it right. Imagining yourself as a plant or a computer-guided car yields only a blank.”¹⁵ The supposition is that a being needs to be *conscious* in order to have interests. But beings who are not conscious clearly do have interests. Imagining yourself as an unconscious person in surgery only yields a blank, but if you were in that situation, you would still have interests—not getting murdered, for example.

Is it wrong to take species into account when considering the moral status of a being? This fascinating question has been given new impetus by the contributions of Kagan, DeGrazia, McMahan, and Singer. Inasmuch as moral status has something to do with nature, and nature has something to do with species, there is nothing illegitimate in taking species into account when making moral judgments.

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15. Ibid., 33.